

11 APR 2005

Michael D. Hockley, Esq.
Spencer Fane Britt & Browne
1000 Walnut Street, Suite 1400
Kansas City, Missouri 64106



Dear Mr. Hockley:

Re: West Lake Operable Unit 2
Remedial Investigation Report & Baseline Risk Assessment

The Environmental Protection Agency (EPA) has reviewed the draft Remedial Investigation Report (June 2000), as updated by the supplemental sampling reports submitted in 2004, and the draft Baseline Risk Assessment (February 2000) for the West Lake Landfill Site Operable Unit (OU) 2 submitted by Herst & Associates, Inc. on behalf of Laidlaw Waste Systems, Inc. We understand that these documents are intended to satisfy the Draft Remedial Investigation (RI) Report deliverable required under the Administrative Order on Consent (AOC). Our comments are enclosed. We believe that resolution of these comments will result in a Final Remedial Investigation Report that the EPA can approve.

At this point, it is appropriate to start thinking about development of the feasibility study. The AOC Statement of Work (SOW) currently requires submission of several preliminary deliverables pertaining to the development of remedial alternatives prior to submission of the Draft Feasibility Study (FS) Report. As we discussed at the January 18, 2005, meeting, the decision to follow the EPA's guidelines on the presumptive remedy for CERCLA municipal landfill sites should result in some commensurate modifications to the SOW. The EPA believes it is appropriate to omit the preliminary deliverables and limit the required deliverables to the draft and final FS reports.

We request a proposed schedule for completion of the remaining tasks under the AOC. In planning the tasks, consider the viability of completing the RI/FS process on a schedule that would put us in position to propose a remedy for OU 2 and OU 1 at the same time, as we discussed at our January 18th meeting.

Sincerely,

Daniel R. Wall
Remedial Project Manager
Superfund Division

Enclosure

cc: Darrick Steen, MDNR (w/ encl.)
Ward Herst, Herst & Associates, Inc. (w/ encl.)

bcc: Micinski (w/encl)

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